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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/151,321 09/11/98 YOSHIDA

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WM31/0201

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EXAMINER

SIDLEY & AUSTIN
717 NORTH HARWOOD
SUITE 3400
DALLAS TX 75201-6507

TRAN. D.	
ART UNIT	PAPER NUMBER

2624
DATE MAILED:

7
02/01/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/151,321

Applicant(s)

YOSHIDA, EIICHI

Examiner

Douglas Q. Tran

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892)
- 16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

2. Claims 1-10 are rejected under 35 U.S.C. 102(e) as being anticipated by Maniva et al. (US Patent No. 5,768,483).

As to claim 1, Maniva teaches:

a controller (104 in fig 1 or 1004 in fig. 10) for selecting an image forming apparatus connected (102 in fig. 1, the server receiving a connection ID and selecting the output device discussed in col. 3, lines 10-15) when with a network (101 in fig. 1) and registering a job (i.e., the job ID) in the selected image forming apparatus (col. 4, lines 26-28), wherein the controller selects an image forming apparatus storing a specific mode job (col. 15, lines 24-25) when the job is a specific mode (i.e., profiles col. 3, lines 42-59 and fig. 8).

As to claim 2, Maniva teaches the specific mode job is a job requiring temporary stop of an image forming (col. 9, lines 58-60).

As to claim 3, Maniva teaches specific mode job is a job possessing a manual paper supply mode (col. 25, line 11).

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As to claim 4, Maniva teaches specific mode job is a job possessing a mode requiring exchange of a paper (col. 25, line 6) .

As to claim 5, Maniva teaches notice means (NIC 106 and Message to WS 103 in fig. 5) for notifying to set a paper (col. 25, line 5) using the job to the selected image forming apparatus.

As to claim 6, Maniva teaches controller selects an image forming apparatus not storing a specific mode job when the job is not a specific mode (col. 18, lines 60-65).

As to claim 7, Maniva teaches the controller selects an image forming apparatus not storing a job when an image forming apparatus storing a specific mode job cannot be referenced (col. 18, lines 60-65).

As to claim 8, Maniva teaches controller selects an image forming apparatus having the greatest remaining memory when an image forming apparatus storing no job cannot be referenced (col. 18, lines 60-65).

As to claim 9, Maniva teaches the controller receives information from an image forming apparatus regarding the size of paper attached to the image forming apparatus (in fig. 8, profiles from a server and a copier are the same) and selects an image forming apparatus storing a specific mode job and registers a job in the selected image forming apparatus (col. 17, lines 60-65) when no image forming apparatus has a paper suitable for the job (col. 18, lines 60-65).

As to claim 10, Maniva teaches notice means (NIC 106 and Message to WS 103 in fig. 5) for notifying to set a paper (col. 25, line 5) using the job to the selected image forming apparatus.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 11-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Maniva et al. in view of Teradaira et al. (US Patent No. 5,800,081).

As to claim 11, Maniva teaches:

a memory (i.e., job queue in fig. 6) for storing jobs;

discriminate means (i.e., MFSA. NLM) for discriminating whether the memory stores a specific mode job or not (col. 17, lines 60-63 and col. 18, lines 38-42);

report means for replying a state of the output device.

However, Maniva does not teach report means for replying a state of the memory.

Teradaira teaches report means (77 in fig. 5) for replying a state of the memory (76 in fig. 5, col. 7, lines 30-40).

It would have been obvious to have modified the report means of Maniva in order to reply a state of the memory as taught by Teradaira. The suggestion of modifying the system of Maniva can be reasoned by one of ordinary skill in the art as set forth by Teradaira because Teradaira provides a printing apparatus whereby a high reliability, high efficiency system can be constructed by transmitting the status data after an automatic status selection and enabling the host computer to obtain the notifying of the required printing apparatus.

As to claim 12, Maniva teaches the specific mode job is a job requiring temporary stop of an image forming (col. 9, lines 58-60).

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As to claim 13, Maniva teaches specific mode job is a job possessing a manual paper supply mode (col. 25, line 11).

As to claim 14, Maniva teaches specific mode job is a job possessing a mode requiring exchange of a paper (col. 25, line 6) .

As to claim 15, Maniva teaches image forming means for forming images on recording medium in order of the sequence of jobs stored in the memory (fig. 5).

As to claim 16, Maniva teaches:

a plural image forming apparatus (col. 15, lines 11-13) connected with the network and having a memory (i.e., job queue in fig. 6) for storing jobs, discriminate means (i.e., MFSA. NLM) for discriminating whether the memory stores a specific mode job or not (col. 17, lines 60-63 and col. 18, lines 38-42), and report means for replying a state of the output device.

a control device (104 in fig 1 or 1004 in fig. 10) for selecting an image forming apparatus connected (102 in fig. 1, the server receiving a connection ID and selecting the output device discussed in col. 3, lines 10-15) when with a network (101 in fig. 1) and registering a job (i.e., the job ID)in the selected image forming apparatus (col. 4, lines 26-28), wherein the control device selects a predetermined image forming apparatus (col. 15, lines 24-25) when the job is a specific mode (i.e., profiles col. 3, lines 42-59 and fig. 8).

However, Maniva does not teach report means for replying a state of the memory.

Teradaira teaches report means (77 in fig. 5) for replying a state of the memory (76 in fig. 5, col. 7, lines 30-40).

It would have been obvious to have modified the report means of Maniva in order to reply a state of the memory as taught by Teradaira. The suggestion of modifying the system of

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Maniva can be reasoned by one of ordinary skill in the art as set forth by Teradaira because Teradaira provides a printing apparatus whereby a high reliability, high efficiency system can be constructed by transmitting the status data after an automatic status selection and enabling the host computer to obtain the notifying of the required printing apparatus.

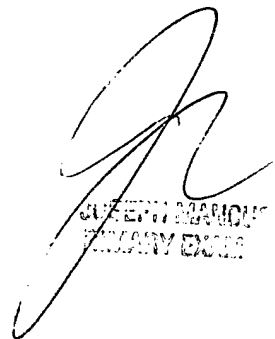
As to claim 17, Maniva teaches the predetermined image forming apparatus stores a specific mode job (in system 102 stores profiles in fig. 8).

Conclusion

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Douglas Q. Tran whose telephone number is (703) 305-4857 or e-mail address is Douglas.tran@uspto.gov.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-4700.

Douglas Q. Tran
Jan. 27, 2001



DOUGLAS Q. TRAN
EXAMINER